

**CIVIL AVIATION (TRANSFER OF UNDERTAKING)
(RODRIGUES) ACT**

Act 27 of 2001 – 24 November 2001

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Interpretation
3. Transfer of undertaking
4. Pending proceedings
5. Evidence
6. Facilities to Government agencies
7. Transitional provision
8. Regulations

**CIVIL AVIATION (TRANSFER OF UNDERTAKING)
(RODRIGUES) ACT**

1. Short title

This Act may be cited as the Civil Aviation (Transfer of Undertaking) (Rodrigues) Act.

2. Interpretation

In this Act—

“aerodrome” has the same meaning as in the Civil Aviation Act;

“appointed day” means 31 March 2007;

[EDITORIAL NOTE: “appointed day” prescribed by GN 37 of 2007.]

“Company” means Airport of Rodrigues Ltd, a company incorporated and registered under the Companies Act 1984;

“Government agencies” means the Ministry of Agriculture, the Ministry of Health and Quality of Life, the Customs and Excise Department and the Police Department;

“Minister” means the Minister to whom responsibility for the subject of civil aviation is assigned.

3. Transfer of undertaking

(1) The undertaking of the Government relating to the aerodrome at Plaine Corail, Rodrigues, shall, on the appointed day, vest in the Company in consideration of 99.99% of the shares of the Company being owned by the Government of Mauritius.

(2) For the purpose of this section, the undertaking shall be deemed to consist of such assets, whether movable or immovable, as may, with the approval of the Minister, be agreed upon between Government and the Company.

(3) Any instrument required for the purpose of giving effect to subsection (1) shall be drawn up and signed by Government and the Company.

(4) There shall, on the appointed day, be vested in the Company such contract, right, obligation, liability or arrangement subsisting in favour of or against Government as may be specified in an agreement to be entered into between Government and the Company before the appointed day.

[S. 3 amended by s. 6 of Act 23 of 2006 w.e.f. 25 November 2006.]

4. Pending proceedings

Any action, arbitration, proceedings or cause of action relating to the undertaking mentioned in section 3 which, immediately before the appointed day, may be pending or in process against or in favour of the Government, or to which the Government is a party, as the case may be, may be continued and enforced by, against or in favour of the Company.

5. Evidence

Any document, matter or thing which, if this Act had not been passed, would have been admissible in evidence in respect of any matter for or against Government shall, on or after the appointed day, be admissible in evidence in respect of the same matter for or against the Company.

6. Facilities to Government agencies

The Company shall, at all times, grant all necessary facilities to the Government agencies and their officers to enable them to execute their statutory duties at Plaine Corail Airport, Rodrigues.

7. Transitional provision

Notwithstanding section 4 of the Civil Aviation Act, the Company shall be deemed to have been validly licensed to establish or operate the aerodrome at Plaine Corail, Rodrigues for a period of 12 months as from the appointed day.

8. Regulations

(1) The Minister may make regulations to provide for any matter necessary for or consequential to the implementation of this Act.

(2) Notwithstanding any other enactment, regulations made under subsection (1) may provide for the transcription, free of charge, of any deed drawn up under section 3.